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This publication, which has been prepared on the instructions of the Assembly and circulated to the Governments, is designed for the use of teachers. It contains a complete description of the aims and organisation of the League and can be used separately. It is suggested, however, that it should form a common basic chapter, to be included as it stands in reference books on the work of the League prepared in the different countries for their own use.

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The
Aims and Organisation
of the
LEAGUE OF NATIONS. *Secretar...*



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FOREWORD

The Sub-Committee of Experts for the Instruction of Youth in the Aims of the League of Nations, which was appointed in 1926 by the Council of the League on the proposal of the Committee on Intellectual Co-operation, suggested that "a special Reference Book, giving an account of the work of the League and of the International Labour Organisation for the use of teachers should be prepared, which will probably assume a different form in various countries. The Secretary-General of the League should be asked to undertake, in co-operation with experts of his own choice, the preparation of that part of the Reference Book which deals with the organisation and aims of the League of Nations".¹

The following pages represent that portion of the Reference Book which was to be prepared at Geneva—the statement from a central source of the aims and organisation of the League—a nucleus of basic facts intended for the use of teachers, both elementary and secondary, in every country, who will thus be enabled to feel that they

¹ See document A.26.1927, paragraph 12, approved by the Assembly in September 1927.

and their colleagues throughout the world are drawing upon the same source of information.

For the production of the text, the Secretary-General enlisted the valuable co-operation of three educationalists from France and Great Britain—M. Th. Rosset, Director of Primary Education, French Ministry of Education, and Member of the Sub-Committee of Experts; his collaborator, M. Charles ab der Halden, Inspector-General of Education (France); and Mr. G. T. Hankin, one of His Majesty's Inspectors of Schools, Board of Education, London.

The Committee of Experts did not without due deliberation insert the phrase “The Reference Book . . . will probably assume a different form in various countries”. It was realised that the book as a whole should present the League as a living and growing organism in a world of change, and should treat the subject from the point of view of history and of the political, economic and other social forces of the day, as well as from that of machinery and organisation. Such a treatment must necessarily be different, both in arrangement and choice of matter, according to the situation and development of different countries.

The shrinkage of the modern world and the events that led up to the establishment of the League are naturally regarded from a different angle in every country. Quite apart from the experiences of the war itself, the sense of the need for international co-operation varies with the different Member States. The chapters of the Reference Book dealing with such questions must therefore vary correspondingly.

Similarly the history of the work that has been accomplished by the League will be treated differently in different countries. All nations are not equally interested, for

example, in Mandates and Minorities, in the fight against Malaria and in the fight against the Opium Traffic. The teacher, like every other citizen, will wish to study in greater detail those questions which particularly affect his own people. He would read also with legitimate national pride of that part of the League's work to which his own countrymen have specially contributed, whether at Geneva or elsewhere.

Such a Reference Book would not be intended for children but for the teacher. He will probably transmit little or nothing of it directly to the class, especially in the case of the younger children. But he himself should get from it a grasp of modern conditions and modern developments both inside and outside his own country, which will enable him to vivify and energise many of his lessons. He should realise afresh from it the interconnection between the old and the new. And it is the new that it is so difficult for the teacher to assimilate, with his formal education behind him and his multifarious duties around him.

A further point was in the mind of the Committee. As these reference books, each containing one identical section, are produced, either by Governments or by societies or by individuals with the approval of Governments, they should form a concrete demonstration of unity of purpose with diversity of expression. Writers of many nationalities, facing a common problem, animated by a common love of truth, equipped with a common training in habits of intellectual sincerity, will be helping the teachers of their respective countries in a task that is worldwide. The outlook will be different, the selection of facts will be different, the stresses will be different, the reflections on the League will be different. But the

underlying purpose will be the same—to assist teachers in giving such instruction in the aims and achievements of the League to the youth of all nations that they shall ultimately realise that international co-operation should be the normal method of conducting world affairs.

Part One.

THE COVENANT OF THE LEAGUE OF NATIONS.

Interdependence of Modern Nations.

The last hundred years have levelled many barriers between the races of mankind. Distance, that ancient hindrance to human intercourse, is vanishing before the discoveries and applications of modern science. Journeys take days instead of months: news travels round the globe in seconds instead of weeks. The industrial and commercial developments of modern times have increased the interdependence of men who dwell far apart under different social conditions. Human beings depend more and more upon one another, even where interdependence has not brought with it a corresponding growth of mutual trust and understanding.

War, too, has changed. The professional army has given place to the nation in arms. Non-combatants and even neutrals cannot escape from the effects of conflict. The world has shrunk both for peace and war, and war has become more terrible, contagious and destructive.

Origins of the League of Nations.

In all parts of the world and in all periods of its history, saints and philosophers, sometimes even kings and statesmen, may have preached peace and goodwill among men. In Western Europe, the nineteenth century, ushered in as it was by prolonged and sanguinary conflicts,

saw the gradual dawn of a widespread desire to put an end to war and some tentative efforts to prevent it. Men and women, rich and poor, were beginning to feel that war was an abominable survival. At the end of the century, when fears of a universal conflagration were overshadowing the world, an organised system of international arbitration was outlined at the Hague Conferences of 1899 and 1907. But progress was too slow. The catastrophe of 1914 overwhelmed all alike.

The Great War.

For four years nations which claimed to be among the most civilised on this earth massacred one another. Civilisation paid the price—ten million dead on the field of battle, countless victims of privation, innumerable maimed and disabled, a dwindling population, a weakened public morality, a destruction of wealth beyond calculation, a dislocated monetary system, unemployment, pestilence and famine, sufferings of every kind after inconceivable horrors.

In the agony of battle, men in the firing line dreamt of a healing and final peace which might crown and hallow their sufferings. The cataclysm awakened the universal conscience of mankind and never was humanity better prepared to receive a message of peace.

In America, in England, in France, in Germany, in Scandinavia and elsewhere, associations were formed to organise peace and prevent the return of war. Woodrow Wilson, President of the United States of America, finally formulated the outline of the League of Nations, which, once peace was signed, was to inaugurate a new international era and guard against fresh catastrophes. Men of every race and from every continent had been drawn into the struggle. The new order was to be built up not on a European but on a worldwide basis. The Covenant of the League of Nations was to be embodied in the treaties of peace. The first ratifications were received in 1920.

The Covenant of the League of Nations.

The preamble of the Covenant lays down the principles governing this new instrument for international peace

with such breadth of outlook and such felicity of expression that it should be studied in detail, as befits the text of the great peace charter of the modern world :

“*The High Contracting Parties,*

“*In order to promote international co-operation and to achieve international peace and security;*

“*By the acceptance of obligations not to resort to war;*

“*By the prescription of open, just and honourable relations between nations;*

“*By the firm establishment of the understandings of international law as the actual rule of conduct among Governments,*

“*And by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another;*

“*Agree to this Covenant of the League of Nations.”¹*

The Two Main Purposes of the League of Nations.

The League of Nations has therefore a double purpose, to achieve international peace and security, *i.e.*, to prevent future wars by establishing international relations on the basis of justice and honour, and to promote co-operation, material and intellectual, between the nations of the world, that men’s lives may become easier, happier and nobler.

General Character of the League of Nations.

The twenty-six articles which constitute the Covenant of the League of Nations provide for the application of the principles contained in the preamble. But, before studying them in detail, it is advisable to obtain some idea of the general character of the League, presenting, as it does, features which are novel and unexpected, even to those who have made a study of international law and international relations.

The League of Nations is a league of States and its business is transacted by representatives of Governments.

¹ See Annex I, Text of the Covenant.

It does not abolish the principle of national sovereignty, and it is not a kind of super-State with an existence above and outside the States which compose it. Its chief purpose is to bring about an agreement between possible adversaries in those clashes of national ambitions and interests which must inevitably occur. Its main weapon is the appeal to the public opinion of the world and to the world's respect for justice. The wider the publicity the more boldly and more powerfully can this respect for justice be manifested. Thus the normal and distinctive feature of League procedure is to deal with questions in public and to publish, immediately and in full, both discussions and decisions.

In only one case does the League of Nations contemplate recourse to actual compulsion, that of a State violating the provisions of the Covenant which it has freely accepted and resorting to war, in disregard of the procedure provided for the peaceful settlement of disputes.

Obligations of States Members.

By signing the Covenant, the nations composing the League have solemnly undertaken to observe the rules of international law and to respect treaties. They retain their own aspirations and watch over their own interests. But they have consented freely to a restriction of their liberty of action in certain respects. They have promised to bear in mind the general interests of the world which in the last analysis ultimately coincide with their own, though they may appear temporarily incompatible. The Covenant provides each State Member with a permanent machinery which it has already accepted, whereby international differences of all types can be settled without recourse to war or to the threat of war.

The League of Nations is not a panacea and does not by its mere existence ensure, without the continued goodwill of all civilised countries and without the wholehearted and unreserved assent of their peoples, the automatic solution of every difficulty that may arise. It does, however, afford, to those who really wish to come to an agreement, a basis of conciliation. It gives to nations and individuals a chance to understand each other by bringing them together for common purposes. Against

a persistent aggressor it can arouse the collective conscience, and in certain cases the material forces of all its members.

The Permanent Court of International Justice.

The League of Nations has not, however, made a clean sweep of the past. Carrying on the work of its forerunners it has created—side by side with the Permanent Court of Arbitration—the Permanent Court of International Justice, the seat of which is also at The Hague. This new tribunal may well be termed the judicial organ of the League.

The International Labour Organisation.

“The League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice.” The organisation of the League would therefore be manifestly incomplete if it dealt merely with political matters and ignored the social and economic problems which daily become more important and more complex. The International Labour Organisation has therefore been established, in accordance with Article 23 of the Covenant, to consider and deal with questions of this nature.

Necessity for studying the Organisation of the League.

The League is not altogether easy to understand. All educated people know of its existence; many approve of its ideals, but few are acquainted with its organisation. The activities of the League are not obvious among the common incidents of daily life, as are those of a national government. No League flag waves on public buildings, no taxes are collected on its behalf, and no popular votes are cast for or against it at elections. The reports published in the newspapers of proceedings of Council or Assembly can hardly be understood without some previous knowledge of the way in which these bodies function. The League is, in fact, a new machine set up to do new work. It derives its strength from moral forces, the efficacy of which has hitherto been rarely

recognised in the world of politics. Furthermore, it has come into being since the present generation left school and college. It has been growing and changing year by year, for it does not and cannot rest on tradition alone. An understanding of the League demands, therefore, even from the educated man, a real intellectual effort, a new orientation of political thought.

Part Two.

ORGANISATION OF THE LEAGUE OF NATIONS.

CHAPTER I.—ORGANISATION.

A. THE MEMBERS OF THE LEAGUE.

The States Members.

The Members of the League of Nations are States.

The total number of States Members is 54 (January 1st, 1929) and comprises former belligerents on both sides, together with most of the neutrals in the war of 1914. A list will be found in Annex II.

Conditions of Admission.

Membership is open to any fully self-governing State, dominion or colony, provided it gives effective guarantees of its sincere intention to observe its international obligations, accepts such regulations as may be prescribed by the League in regard to its military, naval and air forces, and secures the consent of two-thirds of the States Members of the Assembly.

Obligations of Members.

The Members of the League have undertaken :

“Not to exceed, without the concurrence of the Council, the limits once agreed upon for the reduction of national armaments to the lowest point consistent with

national safety and the enforcement by common action of international obligations (Article 8, paragraph 1);

“To interchange full and frank information as to the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes (Article 8, paragraph 6);

“To respect and preserve, as against external aggression, the territorial integrity and existing political independence of all Members of the League (Article 10);

“To submit either to arbitration or judicial settlement or to enquiry by the Council any dispute likely to lead to a rupture (Articles 12 and 13);

“To carry out in full good faith any award that may be rendered, and not to resort to war against a Member of the League which complies therewith (Article 13);

“To communicate to the League every treaty or international engagement entered into by them, for registration and publication by the Secretariat (Article 18);

“To render to the Council an annual report in reference to the mandated territories committed to their charge (Article 22);

“To endeavour to secure fair and humane conditions of labour for men, women and children (Article 23 (a));

“To secure just treatment of the native inhabitants of territories under their control (Article 23 (b));

“To entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, the traffic in opium and other dangerous drugs, and the trade in arms and ammunition (Article 23 (c) and (d));

“To make provision to secure and maintain freedom of communications and transit, and to take steps in matters of international concern for the prevention and control of disease (Article 23 (e) and (f)).”

This long list, abstracted from certain Articles of the Covenant, illustrates the twofold aim of the League of Nations, and may be summarised in the words of the preamble to the Covenant already quoted. The States Members undertake “*to promote international co-operation and to achieve international peace and security*”.

Withdrawal of a Member.

It is interesting for a citizen of a State Member of the League to analyse these obligations and see how far they affect his country's sovereignty. Each State, great or small, has voluntarily limited its future freedom of action. Nevertheless, these obligations are not irrevocable, for a State may withdraw from the League after giving two years' notice, provided that all its international obligations and all its obligations under the Covenant have been fulfilled at the time of its withdrawal. Two States, Brazil and Costa Rica, have availed themselves of this option.

A State may be expelled from the League for a breach of the Covenant.

B. GENERAL SURVEY OF THE ORGANISATION OF THE LEAGUE.

Machinery of the League of Nations.

The organisation of the League is outlined in the Covenant, by which these three bodies are definitely constituted :

1. The Assembly,
2. The Council,
3. The Secretariat,

supplemented by certain technical and advisory bodies.

The two other essential and autonomous organisations have already been mentioned :

1. The Permanent Court of International Justice,
2. The International Labour Organisation.

Obvious Analogies.

The League has been compared to a joint-stock company, the Covenant representing the articles of association, the Council the board of directors, the Assembly the shareholders, and the Secretariat the staff.

It is also tempting to compare the League with an ordinary representative government, and to draw an

analogy between the Assembly and the Parliament, the Council and the Cabinet, the Secretariat and the Civil Service, the Permanent Court of Justice and the Judiciary.

These analogies may help to give a rough idea of the League, but they must not be pushed to extremes; they break down, in fact, as soon as detailed examination begins.

Considering how difficult it is for the people of one country to understand the constitution of another, any comparison of the League's organisation with that of a State is naturally apt to lead to considerable error. For example, the powers of the Council and of the Assembly are not clearly separated, and certain matters may be brought before either. The Assembly itself, whose delegates are appointed by and represent their Governments, cannot accurately be likened to a Parliament elected by popular suffrage.

It is advisable to obtain some general idea of the functions of the two political organs of the League, the Assembly and the Council, before passing on to the Secretariat, the technical and advisory bodies, the Permanent Court of International Justice and the International Labour Organisation.

C. POLITICAL ORGANS OF THE LEAGUE.—THE ASSEMBLY AND THE COUNCIL.

The Assembly and the Council.

The Assembly represents all the States Members. It is the organ of the League whose work is most closely followed by the public, and whose meetings, owing to the publicity afforded to them, have the greatest reaction on world opinion. It is, however, a cumbersome piece of machinery necessitating the attendance of a very large number of persons.

The Council, being a smaller body, can meet more easily and more often and can therefore despatch business with greater speed and continuity. Its composition has changed several times, at present it consists of fourteen members: five permanent Members—the Powers with worldwide interests—and nine non-permanent Members, each chosen by the Assembly from among the other States Members to hold office for three years.

Relations between the Assembly and the Council.

The difference between the powers of these two bodies is not rigidly defined, for Articles 3 and 4 of the Covenant give to both much the same general duties :

“The Assembly (Article 3) or the Council (Article 4) may deal with any matter within the sphere of action of the League or affecting the peace of the world.”

The authors of the Covenant purposely provided for a certain elasticity in the relations between the Assembly and the Council, and the Council may, moreover, be regarded as a semi-permanent organ of the Assembly. The Members of the Council are Members of the Assembly, and a close and constant liaison between the two bodies is ensured by the Secretariat. Moreover, the Council submits each year to the Assembly a report on the work it has done during the past twelve months.

Nevertheless, the Covenant has reserved certain questions to the Assembly and others to the Council, and in these specific cases each has exclusive powers (see pages 25-26 and 28-29).

The Unanimity Rule.

The decisions of the Assembly and the Council must, in general, be unanimous, *i.e.*, must be agreed upon by all Members present. Certain exceptions to this rule are enumerated in the Covenant, *e.g.*, questions of procedure, admission of new members and the case of a dispute which is being dealt with, not by the Council, but by the Assembly. In such a case, if the Assembly has been unable to effect a settlement, it may adopt the report with the unanimous approval of the Members represented on the Council and the approval of a majority of the other Members—the representatives of the parties being in each case excluded.

When a dispute which is deemed likely to lead to a rupture is under consideration, the representatives of the disputing parties do not vote. When there is no such danger their votes are taken into account.

Members abstaining from voting are presumed to be absent—a rule applying throughout the organisations of the League.

The rule of unanimity is intended to safeguard the national sovereignty of the States Members, which cannot be bound against their will. The League of Nations, we repeat, is not a super-State. The necessity of securing unanimity for a proposal gives the League its diplomatic character, and distinguishes the Assembly from an ordinary Parliament.

Recommendations.

The League does not attempt to impose solutions, but to find them in compromises between conflicting points of view. If the requisite unanimity is not obtained and a draft resolution is only adopted by a majority, the resolution changes its name and character and becomes simply a *recommendation*; as such it is not binding on the States Members, but has the moral force attaching to a desire expressed by a large number of them.

1. THE ASSEMBLY.

Composition and Sessions.

The Assembly, as has been said, consists of representatives of all the States Members of the League. Each Member may send not more than three representatives, men or women, and these three representatives command one vote only; they may be accompanied by substitute delegates, technical experts and secretaries.

The Assembly meets annually, on the first Monday in September, at Geneva or at such other place as may be decided upon, and its ordinary session lasts about a month. It may, however, meet more frequently, in accordance with a decision of a previous meeting, or at the request of the Council, made by a majority vote. A special session of the Assembly may even be summoned at the request of one or more Members, provided a majority of the Members concur.

Character of the Assembly.

Consisting as it does of delegates of Governments, in continual contact with those Governments by the rapid means of communication now available, the Assembly inevitably reflects the opinions of those Governments. Each State, large or small, possesses one vote in the Assembly. If it represented all the nations of the world and if unanimity could always be obtained, the power of the Assembly would be practically boundless, but actually unanimity is not always possible and all nations are not Members. For purposes of practical discussion it is unwieldy, and pessimists might be tempted to look upon it as doomed by its very magnitude to inaction and helplessness. In reality the Assembly, as it exists to-day, possesses very real power, some idea of which may be gained by studying the work it does.

Functions common to the Assembly and the Council.

Reference has already been made to the powers common to the Assembly and the Council. To these must be added the election of the members of the Permanent Court of International Justice, who are chosen by the two bodies in accordance with rules which will be studied later.

Special Powers of the Assembly.

The following are the most important of its special powers :

It can admit new Members to the League.

It periodically elects the non-permanent Members of the Council.

It controls the budget of the League, and is thus able to make its influence felt over the various League organisations; by withholding credits it can put a stop to any activity of which it does not approve.

It apportions, on a regular scale, the share of the cost of the League to be borne by each State Member.

It can advise the reconsideration by Members of the League of treaties which have become inapplicable, or the consideration of international conditions whose continuance might endanger the peace of the world.

In discussing the report submitted to it by the Council, it passes in review the work of the past year, and gives the Council and the Secretariat instructions for the succeeding year.

Finally, it can make amendments to the Covenant.

Amendments to the Covenant.

It was not possible to foresee in the Covenant all the developments which might take place in the League. The Covenant could not provide in advance for all the questions of procedure, etc., which might arise and it is the Assembly that carries out these constitutional revisions.

When these amendments have been adopted by the Assembly, they do not come into force until they have been ratified by all the States Members of the Council and by the majority of the States Members of the League. Five amendments to the Covenant have thus been voted and ratified. They have not, however, made any profound change in the general organisation of the League.

Agenda of the Assembly.

The agenda includes, in the first place, the report on the work of the Council, the work of the Secretariat, and the measures taken to execute the decisions of the Assembly during the past year. It further comprises all items whose inclusion has been ordered by the Assembly at a previous session, any items proposed by the Council or by a Member of the League, and lastly the draft budget.

Procedure.

The Assembly opens under the presidency of the President of the Council in office for the time being. It elects its officers, apportions the questions on the agenda among its six large committees, on which every State has one representative, and then proceeds to a general discussion of the Council's report.

The Committees.

These six committees deal with the following subjects :

1. Constitutional and legal questions;
2. Work of the technical organisations;
3. Disarmament;
4. Budget and questions of internal administration;
5. Social questions;
6. Political questions.

The Assembly refers to these Committees the reports which the various organisations of the League have presented and the resolutions brought forward by any State Member. The Committee appoints a rapporteur (see page 30) who submits to the Assembly an account of the discussions and the conclusions reached. The Assembly then receives the final resolutions, and, with or without debate, adopts or rejects them.

Languages.

The official languages of the League are English and French, and speeches delivered in one are interpreted into the other. Not the least surprising feature to those attending a session of the Assembly for the first time is the skill with which the interpreters do their work. The use of one of the two official languages is not however compulsory and each delegate may speak in any language he chooses, but in this case the speaker is responsible for providing the interpretation into one of the two official languages, and the speech is then immediately interpreted, as before, into the other.

Influence of the Assembly.

It is now possible to see how far the analogy between a national Parliament and the Assembly holds good. The unique character of the latter rests not so much on the details of its procedure, but on its worldwide scope and influence. It brings into direct contact men and women of the higher political and intellectual circles of many nations, so that their national points of view may be openly stated and considered. Furthermore its

discussions are attended by an imposing number of journalists—over 400—who have every facility for obtaining information. Their telegrams and articles are reproduced and commented upon in the Press of the world. Public opinion everywhere follows the debates at Geneva with serious attention, particularly when they concern guarantees of peace and security. The statesmen who take part in these debates know that their words, their gestures, their acts, even their silences, will be broadcast, in all countries, whether belonging to the League or not. The League Assembly is becoming more and more the sounding-board of the civilised world.

2. THE COUNCIL.

Composition.

The Council meets, in practice, every four¹ months—in January, May and September—usually at Geneva, but it can be summoned at any time in an emergency. It consists of fourteen Members, five of them permanent, namely the Powers with worldwide interests—France, Germany, Great Britain, Italy and Japan—and nine non-permanent, chosen by the Assembly from among the other Members of the League.

The present organisation of the Council dates from the admission of Germany to the League in September 1926, since which date she has occupied her permanent seat. To fill the nine non-permanent seats, the Assembly elects each year three Members, each of whom sits for three years. A retiring Member is not eligible for re-election during the three years following the end of its term of office, unless the Assembly decides to the contrary, by a two-thirds majority, at the request of the State retiring.

Owing to the growing importance of the Council in international affairs, there is frequently very keen competition for non-permanent seats among the States Members.

Powers.

We need not here recapitulate the powers which belong alike to the Council and the Assembly, and we shall later examine in detail the methods employed by the

¹ Note. Decision of the Council, September 6th, 1929.

Council in carrying out its main duty, the settlement of disputes (see page 51). We are here concerned only with its special powers.

Of the Council's special powers, some are exercised in virtue of the Covenant and some in virtue of the Treaties of Peace.

In virtue of the Covenant the Council is responsible for :

- (a) Preparing a plan for the reduction of armaments;
- (b) Supervising the exercise of the mandates entrusted to different Powers in countries where the inhabitants are not yet capable of full self-government;
- (c) Approving the appointments made by the Secretary-General in the Secretariat.

In virtue of the Treaties of Peace :

(a) The Council, as trustee for the government of the Saar, appoints the members of the Commission responsible for the administration of that Territory and receives a report from the Commission every three months. The Council's decisions concerning the Saar are taken by a majority vote. This task will come to an end in 1935, when the final status of the Territory is to be determined by a plebiscite;

(b) The Council appoints the High Commissioner for the Free City of Danzig, which is under the League's protection, and settles all disputes that may arise between the Free City and Poland;

(c) The Council watches over the protection of the minorities in various States which have undertaken to accept its supervision. It is for the Council to enforce respect for the rights of these racial, linguistic and religious minorities, amounting to as many as forty millions of people.¹

All the work of the Council in these different fields is subject to discussion in the Assembly.

¹ For further particulars, refer to the pamphlet : "The League of Nations and the Protection of Minorities of Race, Language and Religion".

Procedure.

The presidency of the Council changes at each session — one country succeeding another in alphabetical order.

The procedure for business is very simple. The Council appoints one of its members to take charge of each item on the agenda; he is known as the *rappoiteur*, a term adopted from the French and is chosen as far as possible from a country that has no interest in the matter at issue. He prepares his statement with the necessary assistance of the Secretariat, and submits it, together with his suggested solution, for the consideration of the Council.

As a general rule the Council meets in public, but it can meet in private when it thinks fit. The Minutes however, are always published.

D. ADMINISTRATIVE ORGAN.—THE PERMANENT SECRETARIAT.

The Secretariat.

The permanent Secretariat was instituted by Articles 3 and 6 of the Covenant. It represents the Civil Service of the League, and—bearing in mind the difficulties always attending any attempt to establish an analogy between the organisation of the League and that of an individual State—it may be compared roughly to the different Government Offices of a national administration.

It comprises about 600 officials of various grades, under the authority of a Secretary-General.

The Secretary-General.

The first Secretary-General, Sir James Eric Drummond, was named in an annex to the Covenant. In the future the Secretary-General will be appointed by the Council with the approval of a majority of the Assembly.

He is *ex officio* Secretary-General of the Assembly and of the Council.

He appoints the members of the Secretariat, with the approval of the Council.

Duties of the Secretariat.

The Secretary-General is assisted by a Deputy-Secretary-General and by three Under-Secretaries-General.

The officials of the Secretariat are international officials, responsible to the Secretary-General alone; they may not receive instructions from any other authority, in particular from their own Governments, and they enjoy diplomatic privileges and immunities in the discharge of their duties.

The members of the Secretariat are divided, not according to their various nationalities but according to the nature of the questions with which they have to deal, into several sections, some under a Director and others under a Chief of Service.

Each section acts as the secretariat of one of the Committees or Organisations which will be studied in the next chapter. The principal sections of the Secretariat are as follows:

- The Political Section,
- The Economic and Financial Section,
- The Transit Section,
- The Administrative Commissions (Saar and Danzig) and Minorities Section,
- The Mandates Section,
- The Disarmament Section,
- The Health Section,
- The Social Section,
- The Intellectual Co-operation and International Bureaux Section,
- The Legal Section,
- The Information Section.

The names of these different sections give sufficient indication of their work. The Legal Section acts as legal adviser to the other sections, and also registers and publishes treaties in pursuance of Article 18 of the Covenant.

The Secretariat collects all information necessary for the consideration of the questions that come before the League, not merely facts and statistics, but appreciations of the imponderable and elusive factors that often weigh

so much in international questions. The Press of the world is of course studied, but the views expressed by organisations that may represent various shades of public opinion are not neglected *e.g.*, associations of ex-service men, working-class organisations without distinction of political or religious tendency, women's organisations, the Churches, Freemasons, Red Cross organisations, Rotary Clubs. Reliable political and economic information does not suffice; the League must also have a sympathetic knowledge of the personal feelings of the men and women for whose well-being it ultimately exists.

The Secretariat not only collects information but also distributes it. Over a hundred newspapers and agencies are permanently represented at Geneva. More than twelve hundred reporters belonging to over fifty different countries and representing close on a thousand newspapers and periodicals have visited Geneva in the last few years. The communiqués issued, while very full, only state bare facts. They provide the raw material from which each writer selects for his own public.

In addition to communiqués and verbatim reports of important conferences, the Secretariat publishes a monthly summary of the work of the League. Each year it issues a general review and from time to time fresh editions of the booklets which give accounts of the work of the League in some definite direction. It is one of the functions of the League to provide the accurate and detailed information on which alone reasoned public support can be based. A special section of the Secretariat, the Information Section, has therefore been formed to organise this continuous contact with the outside world.

The bulk of the duties of the Secretariat are similar to those carried out by the officials of a national Government. They prepare the agenda for all meetings and conferences, carry out the decisions taken, and ensure permanent liaison between the different countries.

The Secretariat gives to the League of Nations the factor of stability necessary to all institutions, if they are to be permanent. It acts as the League's memory, and in the frequent changes in the representatives who attend the Council, the Assembly, and the various Committees, it promotes continuity of policy.

E. THE AUXILIARY ORGANISATIONS.

Their Purpose.

No study of the League would be complete which did not give an idea of certain subsidiary bodies essential to its work. These are the auxiliary organisations, whose creation marks an important step in the development of international co-operation. Some of them are permanent, and deal with matters in which the League's activities are continuous. Others are created to meet temporary difficulties, and disappear with their solution.

A distinction must be made between the technical organisations and the Advisory Committees.

Technical Organisations.

The technical organisations are three :

The Economic and Financial Organisation,
The Transit Organisation,
The Health Organisation.

In the world of to-day there are a large number of economic, financial and commercial questions which are liable to give rise to political disputes. Through these organisations of the League such problems are handled in the first instance by eminent technical experts belonging to different countries. The experts combine to discover the best practical solutions, and they have the more chance of success because their discussions are conducted in an atmosphere of detachment.

In these committees and conferences the League's work is continuous throughout the year. It is here that experts of all countries meet, that new bonds are formed between nations, and old ones strengthened. Specialist meets specialist to discuss technical questions, and on technical questions international understanding is less difficult. The value of such meetings can, of course, only be fully appreciated by specialists, but a few examples (which will be found on pages 49-53) will give an idea of the nature and importance of this work unobtrusively and steadily going on at Geneva.

Advisory Committees.

The Advisory Committees are either permanent or temporary. The following are the chief permanent Committees :

The Commission for Military, Naval and Air Questions,
The Mandates Commission,
The Commission for the Protection and Welfare of Children and Young People,
The Committee on Opium and other Dangerous Drugs,
The Committee on Intellectual Co-operation.

These Committees have no power to take decisions, but prepare material to be submitted to the political organs of the League.

The Assembly sits for one month each year, the Council four times a year, but only for about a week each time. The work of the League must, however, go on continuously and in practice it does so. Hardly a week goes by without one of the auxiliary organisations holding a session.

Elasticity of these Organisations.

We cannot better indicate the character of these various organisations than by reproducing the following passage written by Sir Eric Drummond in his foreword to the *League of Nations Year-Book* published in 1927 :¹

“The reader of this *Year-Book* will, unless he has been in the habit of following closely the records of the League’s work, probably be surprised at the number and variety of the bodies which function or have functioned under its auspices. He will gain a picture of an institution of abounding vitality, equipped at all times to deal through its permanent organisations with the great majority of the problems of international relations, or able, by following methods known beforehand, but capable of almost infinite variations, to deal effectively with those which fall outside the scope of the permanent organisms.”

¹ The *Year-Book* is not an official publication.

1. TECHNICAL ORGANISATIONS.

(a) *Economic and Financial Organisation.*

Composition.—This Organisation was set up as a result of the Brussels International Financial Conference of 1920. It is divided into two sections, the Financial Committee and the Economic Committee. Each Committee operates independently, but they meet together in plenary session when necessary.

The members of the Organisation are not official representatives of their Governments, but are chosen by the Council as experts. They include high officials, directors of large banks, chairmen of companies, statistical experts, all holding high positions in the business world and giving the League disinterested help.

The secretariat of this Organisation is formed by the Economic and Financial Section of the League Secretariat.

Duties.—Belonging to this Economic and Financial Organisation are numerous committees and sub-committees, too many to be enumerated here, which study, each in its own sphere, the various economic and financial questions of concern to the League. It was this Organisation that prepared the plans for the financial reconstruction of countries whose credit and currency were particularly hard hit as a result of the war and for the settlement of hundreds of thousands of refugees in war-desolated areas.

These plans have made it possible to float international loans which at the present time amount to 1,700 million gold francs.

The International Economic Conference, convened at Geneva in 1927, drew up a programme for the improvement of the world economic situation. On its advice the Council has appointed a special Consultative Committee to supervise the progressive execution of the Conference's resolutions on commercial, industrial and agricultural questions.¹

¹ For further particulars, refer to the pamphlet: "The League of Nations: Economic and Financial Organisation".

(b) *Organisation for Communications and Transit.*

Composition.—The authors of the Covenant realised how the great war had accentuated the economic inter-dependence of nations throughout the world, particularly in Europe, where empires had been dismembered and divided into a number of States, too small to be economically self-sufficient, but determined to preserve their political independence.

The Organisation we are about to consider was constituted by the desire of the Assembly at its first ordinary session, at the close of the General Conference on Communications and Transit held at Barcelona in 1921; it comprises an Advisory Committee, a General Conference, and a secretariat formed by the Transit Section of the League Secretariat.

Advisory Committee.—The Committee consists of delegates chosen by the permanent Members of the Council, and delegates appointed by the General Conference from among the other Members of the League.

This Committee considers measures to ensure the freedom of communications and transit, and to help the Council to adjust by conciliation any disputes that arise. It also prepares the work of the General Conference. The Committee's duties are mainly technical, but may have a political bearing. Take, for instance, the River Danube. The navigability of the river, the lighting of channels, buoyage, the upkeep of locks, dams, wharves and harbours are technical questions which have to be dealt with by experts. But the Danube flows along the boundaries or through the territories of seven different States, whose interests, conflicting perhaps, are in the hands of diplomatists. Many different considerations have therefore to be taken into account, some purely technical and others of undeniable political importance, if the life of the river and the dwellers on its banks is to be organised on lines acceptable to all parties.

The Committee has not supplanted the numerous organisations which already existed before the war to study questions of international transit, but has endeavoured to co-ordinate their work and give added effect to their decisions—as, indeed, in the case of the River Danube.

Subordinate Bodies.—It would be unnecessary and wearisome to study all the temporary and permanent committees which are dependent upon each of the auxiliary organisations. Nevertheless, by way of an example, a bare list of the committees and commissions subordinate to the Transit Organisation¹ may give an idea of the League's methods of improving international co-operation, of its care for detail, of its specialised technical competence, and of its adaptability to the most varied tasks.

General Conference.—The General Conference meets when summoned by the Council. It consists of a representative of each State Member, accompanied by substitutes and experts. The League may also invite non-Member States to participate.

The procedure is similar to that of the Assembly. Proposals made by this Conference may take the form, subject to the Assembly's or the Council's approval, of international conventions, resolutions or recommendations to Governments.

(c) *Health Organisation.*

Organisation.—The International Health Organisation, whose highly technical work is of the greatest importance in a world of frequent and rapid communications, was instituted in co-operation with the *Office international d'hygiène publique*, a previously existing organisation.

The Health Organisation comprises :

An Advisory Council, formed by the Committee of the *Office international d'hygiène publique*;

A Health Committee, whose headquarters are at Geneva;

A Secretariat, consisting, as is customary, of the corresponding section of the Secretariat of the League.

¹ Ports and Maritime Navigation, Inland Navigation, Transport by Rail, Electric Questions, Road Traffic, Legal Questions, Telegraphy, Buoyage and Lighting of Coasts, Maritime Tonnage Measurement, Private Law in Inland Navigation, Statistics of Inland Navigation, Competition between Waterways and Railways, Combined Transport, Question of Identity-Documents for Persons without Nationality, Cards for Immigrants in Transit.

States not Members of the League, like the United States of America and the Union of Socialist Soviet Republics, have decided not to subordinate their co-operation in health matters to political considerations, and have joined the Health Organisation.

Duties.—The Health Committee's work is, of course, strictly technical, but its methods illustrate in a striking manner the possibilities of international co-operation. With the Council's approval, the Committee has appointed, for instance, a Malaria Commission to study malaria conditions in different parts of the world, and to recommend methods by which it can be fought. The members of the Commission, all experts on malaria in their various countries, have, as a result of invitations from a number of States, visited Palestine, Spain, the United States, the Kingdom of the Serbs, Croats and Slovenes, Italy, Bulgaria, Greece and Russia. They have studied on the spot the conditions in which malaria develops, the customs of the people, the habits of the mosquitoes which carry the infection, and the various ways of combating the disease. They have compared the results in the different countries, and drawn up a general report, which has been submitted to the Health Committee and published with the Council's approval. This report is now in the hands of all the Health authorities of the world. In this way international co-operation is invoked to aid in the fight against a worldwide disease.

Another form of the Health Committee's work is shown by its weekly report, which gives the number of cases of plague, cholera and smallpox in each port near the known centres from which epidemics spread throughout the world. The station set up by the League in such a danger zone, at Singapore, broadcasts all the urgent information which it receives for the special information of the health officials of all the ports concerned. This information includes details of plague-infected rats; for the plague bacilli which infect the fleas living on the rats which board the ships care nothing for international frontiers.

2. ADVISORY COMMITTEES.

(a) *Disarmament.*

The Problem.—The obligations of the Members of the League in regard to the reduction of armaments are defined in Article 8 of the Covenant.

By accepting the first paragraph of this article, Members of the League have agreed :

(1) That the maintenance of peace requires the reduction of national armaments to a certain minimum;

(2) That this minimum must be consistent with national safety; (for this reason the Members of the League are obliged to study the problem of disarmament jointly with the problem of the security of the various countries;)

(3) That the minimum must also be consistent with the enforcement by common action of international obligations, notably the obligations contained in Article 16 of the Covenant.

Such is the general outline of the problem that lies before the League.

The Method.—The method prescribed by the Covenant for arriving at a solution is formulated as follows :

“The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the various Governments.

“Such plans shall be subject to reconsideration and revision at least every ten years”.

Preparatory Commission for the Disarmament Conference and Committee on Arbitration and Security.—The Council has therefore entrusted the investigation of the disarmament problem in its different aspects to various advisory bodies, of which the principal are :

(a) The Preparatory Commission for the Disarmament Conference (with its Sub-Commissions), whose principal task is to draw up a draft convention for the reduction and limitation of armaments, worked out with such care as to give the first Conference on the Reduction and Limitation of Armaments a prospect of success. This Commission consists of representatives of the States Members of the Council and certain other States, Members

and non-Members of the League, whose co-operation has been held to be specially valuable. The three countries non-Members of the League represented on the Commission are the United States of America, the Union of Socialist Soviet Republics and Turkey.

(b) The Committee on Arbitration and Security, which is seeking means of increasing both the general security that the Covenant should afford to its signatories and the individual security of those nations which demand that, in accordance with the Covenant, "their geographical situation and circumstances" shall be taken into account. All the States represented on the Preparatory Commission have been invited to sit on this Committee.

Thus the problem of the organisation of peace, including methods of preventing and settling conflicts, has been linked with that of disarmament. The League's work under this heading may be summarised in the familiar formula of "Arbitration, Security and Disarmament". The interdependence of these three terms really deserves a full analysis, but here it need only be pointed out that the general use of arbitration proper, and of arbitration in the broader sense of the word—peaceful settlement of disputes—may make it possible to eliminate war as a means of settling international conflicts; that the security of one nation depends largely on how far it can be assured of the peaceful intentions of its neighbours, which can best be expressed by the voluntary acceptance of other methods than force for settling disputes. The security of a country which is a Member of the League also depends on the extent of its confidence in the efficiency of the League's machinery for preventing war; for intimidating, if necessary, any country which contemplates, in defiance of the Covenant, resort to force; and—should such a country defy the threat of compulsory measures—for lending effectual aid to the victim of its attack. Lastly, the security of a nation depends on the reduction of the armaments of all nations to the minimum laid down in the Covenant, for competitive armaments constitute a danger to peace.¹

¹ For further particulars, refer to the pamphlet : "The League of Nations : The Reduction of Armaments and the Organisation of Peace".

Permanent Advisory Commission for Military, Naval and Air Questions.—Article 9 of the Covenant provides for the constitution of a permanent Commission to advise the Council on “Military, Naval and Air Questions generally”.

This Commission comprises a military, a naval and an air representative of each of the States Members of the Council, appointed by the respective Governments.

Disarmament Section.—The Disarmament Section of the Secretariat acts as Secretariat to all these Committees. It also, in accordance with the final paragraph of Article 8 of the Covenant, compiles and publishes detailed information on the armaments of the different Powers, whether Members of the League or not, in the *Armaments Year-Book*, issued annually, and consisting of some 800 pages.

(b) *Mandates.*

The Mandated Territories.—There are certain territories which as a result of the war have “ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world”.

By Article 22, § 2, the Covenant entrusts the care of these peoples to “advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it”, this tutelage to be exercised by them as Mandatories on behalf of the League.

The Commission.—The body created to advise the Council on all matters relating to the observance of the Mandates is the Permanent Mandates Commission, consisting of eleven members, the majority of whom must be nationals of non-mandatory Powers. As long as they belong to the Commission, they may hold no post placing them under the direct authority of their Governments.

This Commission studies the reports submitted by the mandatory Powers—Great Britain, France, Australia, / New Zealand, Japan, Belgium and the Union of South Africa; it may also consider petitions from the inhabitants

of the mandated territories. The Commission's report, which covers all the problems which may arise in the mandated territories, including those of health and education, is submitted to the Council, and then made public to the world. This publicity is designed to guarantee the protection of the inhabitants; at the same time it provides information of great value to administrators.

The Mandates Section of the League Secretariat acts as the Secretariat of the Commission.

(c) *Social and Humanitarian Activities.*

In its social and humanitarian activities, the League of Nations has freely appealed to the international organisations that were in existence before the war. Certain countries not Members of the League have also assisted in this work, which includes not only those duties specifically detailed in the Covenant, Article 23 (c), but also matters such as the restraint of the international traffic in obscene literature, the abolition of the remaining vestiges of slavery, the relief of war refugees who are still homeless, and the repatriation of prisoners of war left without the means of returning to their homes.

The League endeavours constantly to advance the signature and ratification of conventions for the abolition of illicit traffic in opium and other narcotics. The abuse of these drugs is deplored by all Governments, though, owing to the divergent interests of producing and non-producing countries, all do not always agree as to the measures to be taken.

Very similar methods are adopted by the League to secure the abolition of the traffic in women and children. It also takes active steps to promote the protection and welfare of children and young persons, wherever international action seems to the Council or the Assembly to be desirable.

Two permanent Committees deal with the opium traffic and the protection and welfare of children and young people respectively. The Social Section of the League Secretariat acts as the Secretariat of these Committees. They are separate from the Health Organisation, with

which, as with the International Labour Organisation, they maintain close relations. Their first duty is to keep constant watch over the execution of the conventions actually signed by Governments, but they also collect information and formulate proposals for the consideration of the Council and the Assembly in the same manner as the other Advisory Committees.

(d) *Committee on Intellectual Co-operation.*

Composition.—Scientists, historians, mathematicians and men of letters have always held that their work knows no barriers of state or race; an astronomer who studied the stars from a national point of view would be the *reductio ad absurdum* of nationalism.

Consisting of fifteen members eminent in letters, science and art, the Committee on Intellectual Co-operation was instituted in 1922 by the Council "to consider questions concerning intellectual co-operation and to develop intellectual relations in the international sphere". Obviously men of learning should be in contact with their colleagues of other nations, and such contact may have consequences of the greatest benefit to science and the cause of peace.

Duties.—The principal work of this Committee is that of developing the interchange of knowledge and ideas among peoples and improving the conditions of intellectual work.

In regard to intellectual and artistic intercourse, it endeavours to assist students and men of learning in one country to become acquainted with important achievements of other countries; with this object a special Sub-Committee, known as the Sub-Committee on Bibliography, studies the best means of co-ordinating all information which will give at a glance a complete idea of books and articles concerned with the various sciences, and endeavours to make important publications written in little-known languages accessible in languages that are more widely understood. Another Sub-Committee, the Sub-Committee on Arts and Letters, seeks to secure a wider public for literary and artistic achievements.

Co-operation between universities is also regarded by the Committee as one of the best means of promoting international understanding; accordingly it has set up a Sub-Committee on University Relations to facilitate exchanges of professors and students between different countries and to encourage co-operation through the representatives of the international students' associations.

With a view to improving the conditions of intellectual work, the Committee studies the protection of literary and artistic productions, a subject on which some international agreements already exist. No protection is as yet provided for scientific discoveries, and the Committee thinks that it can and should be given. A special Sub-Committee has therefore been set up to deal with questions connected with the protection of intellectual property, literary, artistic and scientific. The Committee also co-operates with the International Labour Organisation in endeavouring to watch over the interests of all intellectual workers, who, like other workers, are entitled to a fair remuneration for their services. When intellectual life has been specially threatened in certain countries, where the effects of the war placed mental workers in a precarious position, or where, for example, a great library was destroyed by a catastrophe, the Committee has appealed to feelings of international sympathy to rescue humanity's precious heritage of art, science and education.

At the request of the Assembly, the Committee on Intellectual Co-operation has convened a Sub-Committee of Experts to study the best means of instructing the young in the aims of the League.

In connection with the Committee on Intellectual Co-operation, a network of National Committees is gradually being spread over the countries of the world, including, already, the United States of America. Each will act as a centre both for collecting and diffusing information and will maintain close liaison with the League Committee at Geneva.

The corresponding section of the League Secretariat acts as the Secretariat of this Committee.

International Institute of Intellectual Co-operation.—Created by the French Government in 1925 and placed under the auspices of the League, this Institute, whose

headquarters are at Paris, serves to prepare and carry out the decisions of the Committee on Intellectual Co-operation, which acts as its Governing Body.

The Institute, which is divided into sections (Literary Relations, Artistic Relations, Legal, Scientific Relations, University Relations, Information), investigates questions referred to it by the Committee, calling in expert advice when necessary; its staff, like that of the Secretariat, is international.

International Institutes for the Unification of Private Law and for the Educational Cinema.—Two other international Institutes, under the direction of the League, have been established at Rome by the Italian Government. These are an Institute for the Unification of Private Law and an Institute for the study of the cinema in education. This latter Institute is intended to work in close relation with the International Committee on Intellectual Co-operation.

CHAPTER II.—THE LEAGUE OF NATIONS AT WORK.

The League of Nations a Living Organism.

The main parts of the League machinery have now been examined, its guiding principles stated and its methods outlined. So far, however, this has been an abstract and theoretical study. To give a clear idea of this great international institution, it must be placed in its proper surroundings and shown as a living organism.

A. ENVIRONMENT.

The men and women engaged on the business of the League either temporarily or on a more permanent footing, are drawn from every corner of the world and from every social stratum. Politicians, diplomatists, financiers, technical experts of every kind, professors, teachers, journalists, manual workers, assemble from every country in the two hemispheres.

Europeans, Americans, Orientals, Africans, men and women of every race and every trend of thought meet in one city, bringing with them an infinite variety of ideas and opinions which often seem diametrically opposed. Speaking many different tongues, trained in varied schools, lacking often any point of contact, they come with opposite ideals and, at first, they may well feel themselves to be representing solely their own country and their own flag. To induce the different and sometimes discordant elements to co-operate closely, loyally and effectively is the problem of the League.

As a matter of fact, personal relations, often of the closest kind, grow up rapidly between these men, at first so alien in their outlook. Their common interests and knowledge form the first link in the chain of mutual understanding.

But the actual surroundings in which these meetings take place are not without their influence. The beauty of the landscape; the whole historic past conjured up by the name of Geneva, that proud old republic in its little territory, a canton of that Switzerland which has so long been the model of "small nations" achieving greatness in their love of peace and liberty; the tradition of the Red Cross, whose flag has for more than half a century been a banner of hope to the wounded and maintained some degree of humanity even in the most bitter struggles—all these influences tend to serious reflection, peace and understanding, and act as a reminder that brute force does not always rule the world.

Moreover, young though it be, the League of Nations has already its past and its traditions. Gradually a kind of *esprit de corps* is springing up which penetrates the work, and, when the delegates take their seats in the Salle de la Réformation, they are already under its spell.

B. THE ASSEMBLY.

The austere hall of meeting is very bare, there is no ornament; it is simply a large rectangular room furnished with school desks and elbow-chairs for the delegates. At the end of the hall is a platform with a plain table, and behind that the President's desk. At the sides of the platform sit secretaries, translators and shorthand-writers, and around the hall run two galleries for the onlookers and the journalists.

In an adjacent hotel, hired for the session and connected with the Assembly Hall by an improvised door, the officials attached to the President and the Secretariat are installed. All this is a long way from the building, on the other side of the lake, where the permanent Secretariat is housed.

Soon there will be a building worthy of the League, where work can be done in more convenient and less

uncomfortable conditions. But however splendid, however well equipped this building may be, those who have worked with the League from the beginning will never forget that bare hall in which, in an atmosphere of mingled scepticism and faith, was held the first session of the Assembly.

The importance and potentialities of the Assembly were summed up in 1924 by M. Raul Fernandes, a Brazilian jurist, in the following terms :

“For denouncing iniquities, forestalling conspiracies, mobilising public opinion on behalf of just claims, no book, no newspaper, no diplomatic correspondence is as valuable as the platform of the Assembly. A speaker there would be addressing fifty-four countries, forty-nine of which were represented by special delegations; three Heads of Governments and fifteen Foreign Ministers were present. More than two hundred journalists sent out news, comments and impressions from Geneva to the whole civilised world, and numerous peace associations had sent correspondents or delegates, particularly from the United States. The publicity afforded by the Assembly is unequalled, both in quality and in quantity; and it will produce all the results that can legitimately be expected from the increasing control exercised by public opinion on Governments of the predominating democratic type.

“Moreover, the Assembly enables statesmen belonging to small countries to exert an international influence in proportion to their ability — a thing which is impossible except in the League. Every facility is given for small nations to place at the service of the community that sagacity, experience and character which are not the sole monopoly of the great; there is equality in representation, equality in voting, equality in debate; the judges are fifty-five Governments, and the audience is the entire civilised world.”

C. THE COUNCIL.

Two Illustrations.

The methods employed by the League can, however, be better studied in the more limited field of the Council. Two questions—imaginary in details—will be followed

through their course to give some idea of the working of various parts of the machinery.

The first, a financial problem, calls for co-operation between nations, the second for mediation in a dispute between two countries.

1. A FINANCIAL QUESTION.

Application.—One of the numerous countries which have suffered from the war experiences great difficulty in restoring its finances, meeting its liabilities and ensuring to its population a reasonable standard of living. It applies for help to the League through the Secretary-General.

Action taken by the Secretariat.—With the Council's authorisation, the question is referred to the appropriate Committee and the Secretary-General instructs the Financial Section to collect the necessary data. The Section gets to work, and expert members of the Financial Committee, assisted by members of the Secretariat who are specially qualified for the purpose, make an enquiry on the spot. They make an exhaustive and impartial enquiry, which may extend over some months, and finally report to the Financial Committee.

The Financial Committee.—The Committee meets about a week before the date of the Council session, makes a thorough study of the request in the light of that report and prepares its own report for the consideration of the Council. The representative of the country concerned has meanwhile had conversations with the members of the Committee, of the Secretariat and of the Council itself, and has had every opportunity to put forward his country's point of view.

Meeting of the Council.—The Council, at its quarterly session, can now consider the application in the light of all this information. In a big hall, containing some two hundred spectators and journalists, the Council is seated round a large table, in the shape of a horseshoe, the President in the centre, with the Secretary-General on his left. The representative of the country making

application to the League sits as a member of the Council. The Chairman of the Financial Committee is also present.

The question is presented by a rapporteur appointed by the Council. The rapporteur states the conclusions arrived at by the Financial Committee. The latter recommends certain measures which, if the State concerned undertakes to apply them, may enable it to balance its budget, stabilise its currency and restore its credit at home and abroad. The rapporteur proposes to the Council the adoption of the conclusions arrived at by the financial experts and asks the representative of the country concerned if he is prepared, on behalf of his Government, to accept the programme proposed.

Execution of the Programme of Financial Reconstruction.—If the Government accepts the programme recommended to it and succeeds in passing the necessary legislation, this programme constitutes a solemn undertaking, entered into by the nation accepting it, with the League, of which it is itself a Member. It is sometimes found desirable in the interest of both parties to appoint individuals or Commissions to supervise the execution of these undertakings.

Experience shows that countries which have thus applied for and accepted the help and advice of the League have been able to restore their financial position, recover their credit and obtain from the financial markets, which have faith in the competence of the League's technical advisers, the loans needed to overcome difficulties which at one time had seemed insurmountable.

Geneva Method.—The principles underlying the action of the League are well illustrated by this example: the impartial collection of full and accurate information, the advice of highly qualified experts and public discussion by a body that is anxious to achieve definite results and to help a nation in distress.

In a matter of this kind, however, there is no element of direct conflict. No civilised nation to-day wishes to see another bankrupt or starving. But the method of bringing a dispute before the Council, and the way in which the Council deals with it, introduces more difficult problems.

2. A DISPUTE.

The First Stage.—Let us imagine that a serious dispute has arisen between two Powers. Perhaps the frontier has been badly traced, or has not been readily accepted; the trouble may have been aggravated by the attacks of small military posts on either side; protracted diplomatic negotiations have reached a deadlock. Suddenly a more serious incident threatens to produce a conflagration. The public in both countries is greatly excited, and the moment is obviously approaching when “the guns will go off of themselves”. Under the old system, war would be inevitable.

Application of the Covenant.—All the Members of the League, however, have agreed that “if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council”. They have further agreed “in no case to resort to war until three months after the award by the arbitrators or the judicial decision or the report by the Council”.

Consequently, any State Member which did not submit its dispute to the League, but resorted to war, would be violating the Covenant, and would render itself open to the application of Article 16, which provides for economic measures of coercion and, where necessary, for the use of force.

Moreover, the League can take up the matter on its own account, and the Secretary-General can forthwith summon a meeting of the Council, at the request of any Member of the League, in virtue of Article 11.

Appeal to Geneva.—Imagine, however, that the dispute is submitted to the League by one of the countries directly concerned, under Article 15 of the Covenant.

The Secretariat is notified and immediately gets into touch with the President of the Council, who notifies the two parties as quickly as possible that the case has been laid before the Council. There is as yet no instance in which a party has failed to comply with the invitation to appear before the Council.

If necessary, then, a meeting of the Council is summoned at once and the two nations concerned are invited to be represented at the meetings at which the question is discussed. If only one of the parties is a Member of the League, the other, if it agrees to submit the dispute to the Council, is also treated as a Member.

Action of the Council.—The question has been studied by the Political Section of the Secretariat. If necessary, the Council, having secured a provisional agreement between the two countries, sends commissioners to investigate on behalf of the League the circumstances on the spot. When the investigation is over, the Council again meets in the same manner, and appoints a rapporteur to present the case.

When a difference arises between two parties, each of them asserts, and frequently believes, that he is in the right; if the Council can succeed in bringing about an agreement between two such nations, it has secured the best possible solution. No such agreement may, however, be possible, and in that case the Council publishes a report, adopted either unanimously or by a majority vote (the parties to the dispute having no right to vote), which embodies the solutions it regards as equitable.

Unanimous Decision.—If the decision is unanimous, any country disregarding it and resorting to war commits an act of war against all the Members of the League. All the Members of the League “subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State”, and it is the duty of the Council “to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League”.

Here we have a case in which the League contemplates the possibility of war to prevent the disastrous consequences of war. One can imagine the effect of such a threat on the leaders of a nation that might be contemplating war.

Majority Decision.—If the decision is not adopted unanimously, the Members of the League “reserve to

themselves the right to take such action as they shall consider necessary for the maintenance of right and justice". Even in this eventuality, however, the countries concerned in the dispute are bound not to declare war until three months after the publication of the Council's decision.

The Future and the Past.—The future will show how far the methods introduced by the League have gained a hold upon humanity and will be used as the practical and normal method of settling serious difficulties between nations when direct negotiation, arbitration or judicial settlement have proved impracticable or of no avail. At the same time, without any pretension to re-write history, it is worth considering what would have been the course of events in 1914 had the League then been in existence and already proved to the world, by settling less serious conflicts, that it was an effectual instrument for preventing bloodshed and maintaining world peace.

Part Three.

AUTONOMOUS ORGANISATIONS.

CHAPTER I.—THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

A. ORIGIN.

The Hague Court of Arbitration.

The idea of creating a Court of International Justice to settle disputes between States is not new. Without delving further into the past, it may be recalled that as early as 1899, on the proposal of Tsar Nicolas II, a conference was held at The Hague, which raised high hopes among the lovers of peace. This was the origin of the Hague Court of Arbitration, which is mentioned in all school history textbooks; during the early years of the twentieth century, this Court rendered genuine services to the cause of peace and accustomed the general public to the idea of international arbitration.

The organisation which we are considering here has not superseded the Hague Court of Arbitration, and Governments are still free to entrust the latter, or special arbitral tribunals, with the settlement of their disputes.

Note.—Prepared from information supplied by the Registrar of the Permanent Court of International Justice.

Article 14 of the Covenant.

The foundation of the Permanent Court of International Justice is to be found in Article 14 of the Covenant.

According to this Article, "the Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly".

Constitution of the Court.

The Council lost no time in appointing a Committee of ten eminent jurists of different nationalities to draw up a plan for the International Court, which was submitted to the Council in October 1920. The Council made certain amendments and referred it to the Assembly, which adopted the Statute of the Court on December 13th, 1920.

In September 1921 a sufficient number of countries had ratified the Statute for the judges to be appointed, and in January 1922 the Court held its first session and adopted its Rules of Procedure.

Consequently, the Permanent Court of International Justice can trace its origin both to a resolution of the Assembly of the League of Nations and to a special Treaty which is at present binding upon some forty States.

B. ORGANISATION.

Composition.

The Permanent Court of International Justice, which sits at The Hague in the Peace Palace built with the generous gifts of Mr. Andrew Carnegie and of a number of Governments, consists of eleven judges and four deputy-judges.

If there is no judge of the nationality of the parties to the case, each of the parties may designate or select a judge.

Since 1921 there have been appointed judges from the following countries : Brazil, China, Cuba, Denmark, France, Great Britain, Italy, Japan, Netherlands, Norway, Roumania, Kingdom of the Serbs, Croats and Slovenes, Spain, Switzerland and the United States of America. The Court accordingly includes men of the most varied legal training, whose experience embraces the legal systems of the most widely different civilisations.

The Permanent Court of International Justice is a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognised competence in international law.

Election of Judges.

The judges are elected for nine years, and are re-eligible. A somewhat complicated method of election safeguards the rights of both large and small countries. In order to preclude the exertion of any political influence, in each country the Supreme Court of Justice, the Faculties and Schools of Law and the Academies of Law are first consulted. On the basis of the list of candidates thus presented, the Assembly and the Council separately proceed to the election. In order to be elected, a candidate must obtain a majority both in the Assembly and in the Council.

The Court elects its President and Vice-President for three years, and appoints its own Registrar and Deputy-Registrar. The President and the Registrar reside at The Hague.

Assessors.

In cases affecting labour, judges are assisted by four technical assessors without the right to vote, chosen with a view to ensuring a just representation of the competing interests.

The same applies in cases relating to transit and communications, if the parties so desire or if the Court so decides.

Permanence.

The word *permanent*, which appears in the official title of the Court, is particularly important. The Court is not a body which ceases to exist simultaneously with the circumstances which gave it birth, but is a Court of Justice to which the parties can always apply. Nor is this word "permanent" an empty word. Composed of professional judges appointed for a long term of years and presided over by a judge of the highest authority, the Court holds an ordinary session every year on June 15th, but it may also be summoned whenever circumstances demand. It does not apply an *ad hoc* procedure or an undefined law. This permanence and stability in the organisation has obviously a very special value in the case of an international court.

C. FUNCTIONS.

The functions of the Court are of two kinds, advisory and judicial.

Advisory Functions.

Under Article 14 of the Covenant, the Court gives opinions to the Assembly and the Council when requested. These opinions are not binding; their force is merely advisory.

Judicial Functions.

The jurisdiction of the Court depends ultimately on the desire of the parties to submit cases to it. This may be expressed in advance with a view to the settlement of future disputes, in which case the Court's jurisdiction becomes compulsory when such disputes occur. On the other hand, the desire of the parties may be expressed only when, on the outbreak of a dispute, the necessity arises.

Accordingly, the Court's jurisdiction is compulsory when the parties have agreed in a treaty or convention that their disputes shall be submitted to it. Such is the

case, for example, in matters affecting minorities and mandates and in certain disputes involving the Labour Organisation or communications and transit. (In the two latter eventualities, the assistance of technical assessors is sought, as we have already seen.)

Special attention must be drawn to the importance of the "optional clause" in the Statute of the Court. Those Governments which have accepted the clause have undertaken in advance to submit to the Court any legal dispute concerning any of the following subjects :

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) The nature or extent of the reparation due for the breach of an international obligation.

The scope of such an undertaking is enormous; indeed, it amounts almost to a general convention for the judicial settlement of disputes.

Law on which the Court's decisions are based.

The Court is competent *de jure* and *de facto*. As yet, however, there is no international code, and no prospect of the preparation of such a code. What, then, are the laws which the Court applies?

They are international conventions establishing rules expressly recognised by the parties to the dispute; international custom as evidence of a general practice accepted as law; the general principles of law recognised by civilised nations; and, subject to certain reservations, judicial decisions and pronouncements by authorities.

Every decision of the Court is only a decision in that particular case, and does not create a *binding* precedent. None the less, the opinions and judgments of the Court do in fact constitute a body of case law which will contribute to the eventual codification of international law.

To Whom is the Court open?

For advisory purposes, as already noted, the Court is open to the Council and Assembly of the League.

For judicial purposes, it is open to the Members of the League and to the States mentioned in the Annex to the Covenant.

The conditions on which the Court is open to other States are settled by the Council of the League, subject to any special provisions in existing treaties.

In actual fact, the Court is open to every country in the world.

CHAPTER II.—THE INTERNATIONAL LABOUR ORGANISATION.

A. ORIGIN.

Its Precursors.

The idea of securing effective international protection for labour is not wholly new. It cannot, however, be traced back much further than the first half of the nineteenth century, to the time when industrial conditions were transformed by the triumph of machinery. But it was in 1900 that the International Association for Workers' Legal Protection was founded at Paris, and in 1906 and 1913 it succeeded in holding two official conferences at Berne, which produced draft international agreements.

In this domain, as in many others, the terrible upheaval of the war was to bring about such a transformation that when the war was over some attempt had to be made to erect a new edifice, the foundations of which were laid in the Treaties of Peace.

Social Effects of the War.

The war not only altered frontiers and modified political situations; it led to profound social disturbances. For four years normal life had been at a standstill; men of every condition had been thrown together under the constant threat of a common danger. Countless workers had been snatched from their daily tasks, and, notwithstanding the efforts of their Governments, had suffered, both they and their families, severe material hardships. The revolutionary demonstrations which occurred in 1917

Note.—Prepared from information supplied by the International Labour Office.

in every country, with varying degrees of gravity, were not to be forgotten. To neglect these symptoms of discontent at the moment when peace was being concluded would have been an act of signal folly, and might have exposed the labour world to the insidious suggestions of incompetent or treacherous leaders.

It would also have been an act of ingratitude. In all the belligerent countries the workers who had been kept behind the firing line had risen nobly to the occasion when called upon for a great effort to meet the enormous demands of the nation at war. During those critical years many workers had received some training in management, experienced its difficulties, observed its defects and sought to remedy them. A feeling of solidarity, a consciousness of the necessity of co-operation, had grown up in the minds of many, and influenced certain sections of the workers towards reform rather than revolution.

Governments could not neglect this situation, which, as soon as the war had come to an end, had found expression in 1919 at the International Trade Union Conference at Berne. An international social policy was envisaged based on co-operation with employers and employed.

The Peace.

This policy had now to be put into effect. At its meeting on January 25th, 1919, the Peace Conference appointed a Commission to study the future of international labour legislation, with instructions "to enquire into the conditions of employment from the international aspect, and to consider the international means necessary to secure common action on matters affecting conditions of employment, and to recommend the form of a permanent agency to continue such enquiry and consideration, in co-operation with and under the direction of the League of Nations".

The Commission consisted of fifteen members, two for each of the Powers with worldwide commercial interests, and five representing all the "Powers with special interests". In addition to these delegates there were technical advisers.

The Labour Charter.

The results of the Commission's work fell into two parts : A draft constitution for a permanent international labour legislative organisation, which was given the name of the International Labour Organisation, and a series of declarations of principle.

All these documents form Part XIII of the Treaty of Versailles, which is also reproduced in practically all the treaties concluded thereafter between the belligerent nations. Its preamble is often referred to as *the Labour Charter*.

The Preamble.—Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled, and an improvement of those conditions is urgently required : as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following :

“ The following ” is the International Labour Organisation.

The Nine Points.—Before beginning to study it and examine its working, it is necessary further to quote the nine points which conclude the Declaration. They are “methods and principles which seem to the High Contracting Parties to be of special and urgent importance” :

1. *The guiding principle that labour should not be regarded merely as a commodity or article of commerce.*
2. *The right of association for all lawful purposes by the employed as well as by the employers.*
3. *The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.*
4. *The adoption of an eight-hour day or a forty-eight-hour week as the standard to be aimed at where it has not already been attained.*
5. *The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.*
6. *The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.*
7. *The principle that men and women should receive equal remuneration for work of equal value.*
8. *The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.*
9. *Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.*

The High Contracting Parties, “without claiming that these methods and principles are either complete or final, are of opinion that they are well fitted to guide the policy of the League of Nations”, and that, if applied, “they will confer lasting benefits upon the wage-earners of the world”.

The International Labour Organisation.

For the application of these principles the International Labour Organisation is responsible. The members of the Organisation are primarily and necessarily all the States Members of the League of Nations, because a country

that joins the League thereby undertakes to join the Labour Organisation. But it must be noted that Germany, which did not apply for admission to the League until 1926, became a Member of the International Labour Organisation as early as 1920, and Brazil, which has withdrawn from the League, has expressed the desire to remain a Member of the International Labour Organisation. The Organisation consists of two main organs, the International Labour Conference and the International Labour Office, more briefly known as the I. L. O., which must be considered separately.

B. INTERNATIONAL LABOUR CONFERENCE.

Character.

The International Labour Conference occupies the same position in the International Labour Organisation as does the Assembly in the League of Nations. Both bodies sit once a year at least, or more often if necessary, either at Geneva or in any other town that may be selected. Both are devoted to the maintenance of peace. But whereas the Assembly is mainly concerned with political peace, the Conference deals with the problems of social peace. Consequently there is a considerable difference in composition and methods between the Conference and the Assembly.

Composition.

The League Assembly consists of representatives of the States Members, appointed by, and under binding instructions from, their Governments. This is the uniform status of all the members of the Assembly.

To the Conference each of the fifty-six States Members of the International Labour Organisation sends four delegates; but only two of these four are Government representatives; of the other two, one represents the employers and the other the workers. The employers' and workers' delegates are appointed by the Governments, but in consultation with the most representative employers' and workers' organisations in each country.

Each of the four delegates votes separately and is free from any control.

In the labour world, disputes between workers and employers are much more frequent than disputes between different countries. Consequently the delegates tend to fall into groups not according to nationality but according to social class. Roughly speaking the employers form one party and the workers another. Here is therefore the right and the left of the Conference, and between these two wings the Government representatives may form a centre working for conciliation.

Function of the Conference.

The function of the Conference is to regulate labour conditions. At each session the questions laid before it are selected in advance by the Governing Body of the International Labour Office, which will be referred to later. The Conference discusses these questions and endeavours to settle them either by Conventions or by Recommendations. Both these terms will be defined below. It may be well, however, to draw attention at once to a difference between the voting methods of the Conference and those of the League Assembly. As already stated, most of the Assembly's decisions have to be reached unanimously. In the International Labour Conference, on the other hand, the majority rule applies both to ordinary resolutions and to recommendations. Only in the case of Conventions is a more stringent rule followed, a two-thirds majority being required.

Languages.

In the Conference, as also in the International Labour Office, the official languages are the two official languages of the League—English and French. Most speakers use one or other of these languages, but any speaker is entitled to speak in any language he chooses. The International Labour Office itself provides for interpretation into the two official languages, as far as its resources permit.

Conventions.

A Convention is an international agreement which, under the Peace Treaties, must be applied by Governments that have ratified it; they must therefore adapt their legislation conformably. Should one of them fail to do so, any other State that has ratified it is entitled to lodge a complaint before the International Labour Organisation. The delegates of the States to the International Labour Conference and also to the Governing Body of the International Labour Office have this same right. Conventions, before they can come into force, must be ratified, and ratification is, of course, optional at the discretion of each Government.

From 1919 to 1928 the Conference has adopted twenty-six draft Conventions. On December 1st, 1928, the International Labour Office had registered three hundred and thirty-three ratifications.

A Convention does not necessarily remain inoperative unless it is ratified. Certain countries have not yet ratified some of the Conventions, in order to retain their freedom of action; but in many cases the legislation of those same countries has been modified by ideas underlying the unratified Conventions. This applies to the eight-hour day, for instance. The Convention on this subject adopted by the Conference at its first (Washington) session in 1919 has not yet been ratified by all the States; but many countries have passed legislation which in practice follows the spirit, if not always the letter, of the Convention.

Recommendations.

A recommendation is a document setting forth certain rules which the Conference regards as just and expedient and recommends for application. While, however, these recommendations are binding on States which accept them, no action can be taken against a State which accepts them and does not apply them.

The following is an example of a recommendation :

In 1924 the sixth session of the Conference passed a long and important recommendation concerning the best means of securing suitable facilities for recreation and

instruction for workers whose spare time was increased by the introduction of the eight-hour day. The Eight Hours Convention is binding on the Governments which have ratified it; but the same does not apply to this accessory recommendation, which is only advisory. The recommendation should influence the national legislation of the countries that accept it, but it does not constitute an international undertaking.

C. THE INTERNATIONAL LABOUR OFFICE.

Nature and Headquarters.

The International Labour Office corresponds generally to the permanent Secretariat of the League of Nations.

The International Labour Office is housed at Geneva, in a large new building, planned for its special use, and furnished and fitted for its specific purposes. The name "palace" might well be applied to it if we consider only the lavish generosity displayed by the various Governments in contributing to the decoration of the principal rooms—the Governing Body room, the committee rooms, the large halls and the offices of the more important officials.

The word "factory", however, would be a better description, having regard to the arrangement of the premises for administrative convenience, the methodical manner in which all the details are organised and the ceaseless activity therein.

The primary function of the International Labour Organisation is to prepare for the annual international Conference, but its duties do not end there.

The Governing Body.

The Labour Office is managed by a Governing Body of twenty-four members. Twelve of these are Government delegates, eight being permanent and representing the States of chief industrial importance (Belgium, Canada, France, Germany, Great Britain, India, Italy and Japan), while the other four are not permanent, and are elected from among the other countries—in principle for three

years. The resemblance between this organisation and that of the Council of the League is obvious, but the essential difference in composition between the two bodies is that the non-Government members are appointed on the principle of which an illustration has already been given in connection with the Conference. Six of them represent employers' organisations and six workers' organisations. Both sections are elected, not by national organisations, but by all the employers' and workers' delegates respectively at the Conference.

The Governing Body elects its Chairman for the whole of its term of office—three years. The retiring Chairman is re-eligible when the new Governing Body comes to be elected.

This Governing Body meets once every three months. It appoints the Director of the International Labour Office and receives his report on the work of the Office; it votes the budget, appoints the members of the commissions which are to assist it in its work, and determines the agenda of the Conference.

Composition of the International Labour Office.

The International Labour Office is under a Director, who is *ex officio* Secretary-General of the International Conference.

The Director since the foundation of the Office has been a Frenchman, M. Albert Thomas; upon him has fallen the task of transmuting theory into fact.

The staff of the Office is appointed by the Director, and is recruited in principle by competitive examination in all the countries Members of the Labour Organisation.

The Two Objects of the Office.

According to the text of the Labour Charter, the International Labour Office was established for two purposes: to examine subjects suitable for the Governing Body to place on the agenda of the Conference and, to prepare technical reports on them, and, eventually, to draft Conventions and Recommendations for submission to the Conference.

It is also the duty of the Office to collect all possible information regarding labour conditions in all the countries of the world, to co-ordinate it and to give it wide publicity.

Its Three Functions.

The Labour Office has therefore three essential functions.

It has a *diplomatic* function, inasmuch as it communicates with Governments in order to prepare for the Conference and to draw up draft Conventions and Recommendations, and also subsequently in the endeavour to secure the necessary ratifications without undue delay.

It has a function of *liaison* with employers' and workers' organisations and with social organisations in general, international and national, since it is required to consult them and furnish them with information.

Lastly, it has a function of *research*, which is imposed upon it as a duty by its Charter. Only by comparing conditions of labour in different countries and examining tendencies and economic and industrial possibilities can it submit questions to the Conference in such a form that fruitful discussion can take place and full support be secured for the latter's decision.

Competence of the Office.

These three lines of activity together cover an immense field. Nothing affecting labour in any form, manual or intellectual, is outside the scope of the Labour Office. Statistics, labour legislation, wages, hours of work, workers' holidays, night work, employment of women and children, native labour, vocational training, technical instruction, utilisation of spare time, industrial hygiene, industrial accidents, provision of employment, unemployment, emigration, social insurance, are a few of the more important questions with which the Office is called upon to deal and which fall within its competence.

Organisation.

The internal organisation of the Office follows the main divisions of the work already mentioned.

Under the orders of the Director, assisted by a Deputy-Director and personal staff whose duties are similar to

those of the personal staff of the Head of a Government Department, it comprises, first of all, three Divisions corresponding to the three functions mentioned above. Each division contains a number of sections or services, the chief of which are given below.

In the *Diplomatic Division* are the Governing Body and Conventions Section, the Conference Section, the Native Labour Section and the Legal and Russian Refugee Services.

The *Intelligence and Liaison Division* comprises the Section for relations with workers' and employers' organisations, with co-operative societies and the Section for relations with the corresponding offices and correspondents maintained by the Labour Office in the principal cities of the world; also the Library and the Press-cutting Service.

The *Research or Scientific Division* is divided into four Sections: (1) statistics, and wages; (2) labour legislation; (3) intellectual workers, workers' spare time, technical instruction, protection of women and children, housing; (4) economic questions as related to social questions; and six services—unemployment, labour exchanges and migration; social insurance; agricultural workers; industrial hygiene; prevention of industrial accidents; social organisation of the Union of Socialist Soviet Republics.

A fourth Division, known as the *General Organisation Division*, comprises two main sections: the Administrative Section, which deals with staff, supplies, financial control, internal services, the shorthand-typists' department, etc.; and the *Editorial Section*, which is in itself an important publishing house, producing a large number of periodicals and single works, not only in the two official languages of the League, but also in German, and sometimes in other languages.

D. AUXILIARY BODIES.

Like the League of Nations, the Labour Organisation is supplemented by temporary and permanent auxiliary bodies, known as Commissions or Committees. A brief description of the nature and duties of these bodies may be useful for reference.

Migration Committee.

This Committee consists of representatives of the Government, employers' and workers' groups, together with experts from every country in the world. It makes the necessary preparatory studies of questions suitable for submission to the Conference. In 1926, for example, it was after discussion by the Migration Committee that the question of the simplification of the inspection of emigrants on board ship was submitted to the Conference.

Joint Maritime Commission.

This Commission consists of the Chairman and the two Vice-Chairmen of the Governing Body of the International Labour Office and a number of members representing shipowners' organisations and seamen. It deals with questions referred to it by the Office with a view to submission to an early session of the Conference. In 1926 the Conference devoted one session to maritime questions.

Native Labour Commission.

This Commission consists of thirteen experts appointed by the International Labour Office and expressing their personal opinions on the problems submitted to them. They are consulted by the Office when it considers that a question relating to native or colonial labour is ripe for submission to the Governing Body.

Commission on the Execution of Conventions.

In accordance with Article 408 of the Treaty of Peace, States which have ratified a Convention must make an annual report to the International Labour Office on the steps they have taken to bring their national legislation into line with the articles of the Convention; a Commission composed of experts appointed by the Director of the International Labour Office examines these reports and bases upon them a general report which is submitted at each session of the International Labour Conference.

Conference of Labour Statisticians.

This is not a Commission, like the body last mentioned, but a Conference convened by the Office from time to time and consisting of delegates from the statistical institutes of countries which deal with labour statistics. The work of this Conference is of the highest importance to the Labour Office. Nearly all the information which it is the duty of the Office to communicate to the organisations interested, and which is used as a justification for their claims and as a basis for future labour Conventions, is founded on statistics. Very frequently, when the Office is called upon to collect statistics relating to certain aspects of labour, it finds that the figures are not compiled by the various Governments on uniform lines, and do not represent exactly the same facts, and that consequently they cannot be compared. The standardisation of methods of compiling labour statistics is the object which the Office seeks to attain with the help of the Conference of Labour Statisticians.

Technical Committee on Unemployment.

This consists primarily of three members of the Governing Body, representing, respectively, the Employers' group, the Government group and the Workers' group. Its main duty is to examine from time to time the position as regards unemployment and employment throughout the world, the causes of unemployment, and the measures to be suggested to the Governing Body for the purpose of reducing the severity of unemployment crises and ending or preventing them.

Correspondence Committee on Social Insurance.

This is a Committee of Experts. Its members are appointed by the Director of the International Labour Office for their qualifications, without regard to nationality, and their advice is always available to the Office when required. If the Office is dealing with a particular question of social insurance on which further light is desired, the Director summons a meeting of those members of the Committee equipped with the necessary specialised knowledge.

Correspondence Committee on Industrial Hygiene and Sub-Committee on Safety.

The Correspondence Committee on Industrial Hygiene has the same character and the same constitution as the Correspondence Committee on Social Insurance. It has a Sub-Committee which deals primarily with the prevention of industrial accidents, and which has its own Sub-Committee on Safety. The programme of this Committee's investigations is drawn up by the Office. It is needless to emphasise the importance of such enquiries, not merely from the social, but also from the economic point of view; for workshop and factory hygiene and the prevention and cure of occupational diseases not only constitute an imperative social duty, but also assure the factories of a supply of healthy and efficient labour. At the present time industrial accidents are causing annually throughout the world more loss of human life than any great battle in the war.

Mixed Advisory Committee on Agriculture.

This Committee has a rather special character, due to the fact that it does not belong exclusively to the International Labour Office, but enables the latter to co-operate actively with another official international institution, the International Institute of Agriculture, founded in Rome in 1907, which—at present, at least—is independent of the League of Nations. The Committee comprises six members of the Governing Body of the Labour Office and six members of the International Institute of Agriculture. It deals with all agricultural questions affecting agricultural management (which comes within the sphere of the Rome Institute) and agricultural labour (which falls within that of the International Labour Office). For example, when recently the International Institute of Agriculture undertook an extensive enquiry into the methods employed in, and results attained by, the agrarian reforms that were carried out in nearly all the countries in Central and Eastern Europe after the war, the International Labour Office decided to take part in the enquiry, regarding it from the point of view of the effects of the agrarian reforms on the agricultural labourer.

Advisory Committee on Intellectual Workers.

The Advisory Committee on Intellectual Workers may be described as the counterpart in the International Labour Organisation of the Committee on Intellectual Co-operation in the League. Whereas the main concern of the Committee on Intellectual Co-operation is to see that intellectual workers throughout the world are provided with means of doing their work and facilities for co-operation, the Advisory Committee on Intellectual Workers was set up to suggest to the Labour Organisation the best means of assuring to intellectual workers material well-being, fair remuneration and decent conditions of work. The Committee consists of three members of the Governing Body of the Office with two members of the League Committee on Intellectual Co-operation and a number of representatives of the principal organisations of intellectual workers and of employers of the same category. In this Committee the representatives of the groups concerned form the majority.

Temporary Committees.

In addition to these permanent Committees, the International Labour Office can at any time set up temporary committees for specific purposes. In 1925, for instance, when, at the request of the International Miners' Federations, the Labour Conference instructed the Office to undertake a general enquiry into the conditions of labour in coalmines, the Office set up a Mines Committee composed of a number of members of its Governing Body assisted by experts of various nationalities.

In the domain of international affairs action must be cautious and based on a vast accumulation of relevant facts. Hence the need arises for these highly specialised committees; the mere enumeration of them gives some idea of the content and variety of the work undertaken by the International Labour Organisation.

Part Four.

CO-ORDINATION, CONTINUITY, GROWTH.

Co-ordination.

An endeavour has been made to give some idea of the nature and variety of the organisations contained within the framework of the League and the extent of the ground they cover. So wide is their scope and so elastic their procedure that they can handle almost any problem or aspect of a problem that States Members may submit. But this very variety and elasticity makes co-ordination both difficult and important. The position of the International Court at The Hague to the States Members, to the Council and to the International Labour Organisation has already been dealt with (see pages 57-59). It remains to treat briefly of the relations of the other organs one with another.

The Council and the Various Organisations.

If a question laid before the Council raises problems of transit or communications, the Council can call upon the Transit Organisation; if it has financial or economic aspects, they can be referred to the Economic and Financial Organisation; if a point of law is raised, the Permanent Court can be consulted. When, therefore, the Council has obtained the expert advice required, it is in a position to consider a problem in all its aspects. Experience has shown that this method tends to facilitate the settlement of international disputes.

It will be seen that the organisations which revolve around the Council and Assembly have an advisory function in the special sense already explained (page 33). They also act in an advisory capacity in a broader sense when they study purely technical problems.

Co-operation within the League.

Moreover, they help one another. For instance, the question of the spread of epidemics is necessarily bound up with the question of port regulations, and consequently there must be co-operation between the Health and Transit Organisations. The examination of measures to prevent the abuse of narcotics necessarily involves a study of medical problems and transit questions; accordingly, from time to time, the Opium Committee has to consult the Health Committee and the Transit Committee. These are but two examples of the regular contact maintained between the Organisations of the League.

The League of Nations and the International Labour Organisation.

The relations between the League and the International Labour Organisation are particularly interesting. They co-operate in the economic sphere, for every economic question has aspects which affect the world of labour, and all labour regulations have economic aspects. It is impossible to study unemployment, as the International Labour Office does, without considering the economic causes of unemployment and its economic remedies, and in these investigations the Labour Organisation co-operates with the Economic Committee of the League. Similarly, the Labour Organisation helped in the preparations for the World Economic Conference of 1927, took part in the Conference itself, and is represented on the Consultative Committee set up to carry out its recommendations.

There is co-operation in many directions, including, naturally, health questions and questions relating to intellectual work. The Mandates Commission includes a representative of the Labour Office to deal with native labour questions; one of the auxiliary bodies to the Preparatory Commission for the Disarmament Conference,

set up to deal principally with the economic aspects of the problem of the reduction of armaments, contains employers' and workers' representatives from the Labour Organisation; a representative of the Labour Organisation takes part in the work of the Child Welfare Committee.

Continuity and Growth.

The work of all these Organisations reveals a steady continuity of method. As far as possible all international problems are faced impartially and studied scientifically from every angle. Thus a body of knowledge on international affairs is being constantly built up, tested by experience and expanded; it becomes available also, not only within the League, but to the whole world.

The League's financial work affords a concrete example. Begun at the Brussels Financial Conference, it eventuated in various schemes of financial reconstruction worked out by the League. But the authors of the "Dawes Plan" benefited also by the knowledge collected by League methods. The "Locarno Agreements" are again an example of the value of continuous work in relation to the problems of international conciliation, arbitration and security. Though not directly negotiated through the machinery of the League, they could never have been arrived at if the League had not been in existence and had not prepared the way. Nor can there be any doubt that the League's work in this field has influenced the later discussions on the proposal to outlaw war as an instrument of national policy.

Thus the League is exercising a constantly increasing influence on international political thought. Such an influence is not surprising, for it is the first permanent organisation definitely created in the sphere of international politics with the sole object of gradually substituting political and social peace founded on justice for the age-long struggle of nations and classes.

Annex I.

THE COVENANT OF THE LEAGUE OF NATIONS

The High Contracting Parties,

In order to promote international co-operation and to achieve international peace and security

by the acceptance of obligations not to resort to war,
by the prescription of open, just and honourable relations
between nations,
by the firm establishment of the understandings of
international law as the actual rule of conduct among
Governments,
and by the maintenance of justice and a scrupulous respect
for all treaty obligations in the dealings of organised peoples
with one another,

Agree to this Covenant of the League of Nations.

Article 1.

1. The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

2. Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

3. Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

Article 2.

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

Article 3.

1. The Assembly shall consist of Representatives of the Members of the League.

2. The Assembly shall meet at stated intervals and from time to time as occasion may require at the Seat of the League or at such other place as may be decided upon.

3. The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

4. At meetings of the Assembly, each Member of the League shall have one vote, and may have not more than three Representatives.

Article 4.

1. The Council shall consist of Representatives of the Principal Allied and Associated Powers,^a together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be members of the Council.

2. With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be Members of the Council;^b the Council with like approval may increase the number of Members

^a The Principal Allied and Associated Powers are the following: The United States of America, the British Empire, France, Italy and Japan (see Preamble of the Treaty of Peace with Germany).

^b In virtue of this paragraph of the Covenant, Germany was nominated as a permanent Member of the Council on September 8th, 1926.

of the League to be selected by the Assembly for representation on the Council.^c

2 bis. The Assembly shall fix by a two-thirds majority the rules dealing with the election of the non-permanent Members of the Council, and particularly such regulations as relate to their term of office and the conditions of re-eligibility.*

3. The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

4. The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

5. Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

6. At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

Article 5.

1. Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

2. All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

3. The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

Article 6.

1. The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required.

^c The number of Members of the Council selected by the Assembly was increased to six instead of four by virtue of a resolution adopted at the third ordinary meeting of the Assembly on September 25th, 1922. By a resolution taken by the Assembly on September 8th, 1926, the number of Members of the Council selected by the Assembly was increased to nine.

* This Amendment came into force on July 29th, 1926, in accordance with Article 26 of the Covenant.

2. The first Secretary-General shall be the person named in the Annex; thereafter the Secretary-General shall be appointed by the Council with the approval of the majority of the Assembly.

3. The secretaries and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council.

4. The Secretary-General shall act in that capacity at all meetings of the Assembly and of the Council.

5.* *The expenses of the League shall be borne by the Members of the League in the proportion decided by the Assembly.*

Article 7.

1. The Seat of the League is established at Geneva.

2. The Council may at any time decide that the Seat of the League shall be established elsewhere.

3. All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

4. Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

5. The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

Article 8.

1. The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

2. The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

3. Such plans shall be subject to reconsideration and revision at least every ten years.

* This Amendment came into force on August 13th, 1924, in accordance with Article 26 of the Covenant and replaces the following text:

“5. The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.”

4. After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

5. The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

6. The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to warlike purposes.

Article 9.

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally.

Article 10.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

Article 11.

1. Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall on the request of any Member of the League forthwith summon a meeting of the Council.

2. It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

*Article 12.**

1. The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration *or judicial settlement* or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators *or the judicial decision* or the report by the Council.

2. In any case under this Article the award of the arbitrators *or the judicial decision* shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

*Article 13.**

1. The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration *or judicial settlement*, and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration *or judicial settlement*.

* The Amendments printed in italics relating to these Articles came into force on September 26th, 1924, in accordance with Article 26 of the Covenant and replace the following texts :

Article 12.

“ The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

“ In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.”

Article 13.

“ The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

“ Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

“ For the consideration of any such dispute, the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

“ The Members of the League agree that they will carry out in full good faith any award that may be rendered and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.”

2. Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration *or* judicial settlement.

3. *For the consideration of any such dispute, the court to which the case is referred shall be the Permanent Court of International Justice, established in accordance with Article 14, or any tribunal agreed on by the parties to the dispute or stipulated in any convention existing between them.*

4. The Members of the League agree that they will carry out in full good faith any award *or* decision that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award *or* decision, the Council shall propose what steps should be taken to give effect thereto.

Article 14.

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

Article 15.

1*. If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration *or* judicial settlement in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-

* The Amendment to the first paragraph of this Article came into force on September 26th, 1924, in accordance with Article 26 of the Covenant, and replaces the following text :

Article 15.

“ If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary-General, who will make all necessary arrangements for a full investigation and consideration thereof. ”

General, who will make all necessary arrangements for a full investigation and consideration thereof.

2. For this purpose the parties to the dispute will communicate to the Secretary-General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

3. The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

4. If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

5. Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

6. If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

7. If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

8. If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

9. The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute provided that such request be made within fourteen days after the submission of the dispute to the Council.

10. In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Representatives of the

parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

Article 16.

1. Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

2. It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

3. The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

4. Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

Article 17.

1. In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to 16 inclusive shall be applied with such modifications as may be deemed necessary by the Council.

2. Upon such invitation being given the Council shall immediately institute an enquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

3. If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

4. If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

Article 18.

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

Article 19.

The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

Article 20.

1. The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

2. In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

Article 21.

Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

Article 22.

1. To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

2. The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

3. The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

4. Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

5. Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

6. There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

7. In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

8. The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

9. A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

Article 23.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League :

- (a) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;
- (b) undertake to secure just treatment of the native inhabitants of territories under their control;
- (c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;
- (d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;
- (e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914-18 shall be borne in mind;
- (f) will endeavour to take steps in matters of international concern for the prevention and control of disease.

Article 24.

1. There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of

international interest hereafter constituted shall be placed under the direction of the League.

2. In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

3. The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

Article 25.

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorised voluntary national Red Cross organisations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

Article 26.

1. Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

2. No such amendments shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

Annex II.

MEMBERS OF THE LEAGUE

January 1st, 1929.

Abyssinia.	Italy.
Albania.	Japan.
Argentine Republic.	Latvia.
Australia.	Liberia.
Austria.	Lithuania.
Belgium.	Luxemburg.
Bolivia.	Netherlands.
British Empire.	New Zealand.
Bulgaria.	Nicaragua.
Canada.	Norway.
Chile.	Panama.
China.	Paraguay.
Colombia.	Persia.
Cuba.	Peru.
Czechoslovakia.	Poland.
Denmark.	Portugal.
Dominican Republic.	Roumania.
Estonia.	Salvador.
Finland.	Serbs, Croats and Slovenes (Kingdom of the).
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Germany.	South Africa.
Greece.	Spain.
Guatemala.	Sweden.
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Native Labour Commission.
Commission on the Execution of Conventions.
Russian Refugees Commission.
Conference of Labour Statisticians.
Mixed Committee on Economic Crises
Committee on Unemployment.
Committee on Social Insurance.
Advisory Committee on Industrial Hygiene.
Sub-Committee on Safety.
Mixed Advisory Committee on Agriculture.
Advisory Committee of Intellectual Workers.

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